

APPROVED
MEETING MINUTES OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, NOVEMBER 9, 2009

1. CONVENE: President Ezzy Ashcraft called the meeting to order at 7:08 pm
2. FLAG SALUTE: Board member Cook
3. ROLL CALL: Present: President Ezzy Ashcraft, Board members Cook, Kohlstrand, and Zuppan.

 Absent: Vice-President Autorino, Board Members Cunningham, and Lynch

 Staff: Jon Biggs, Secretary to the Planning Board, Andrew Thomas, Planning Services Manager
4. MINUTES: Minutes from the meeting of September 10, 2009 (Pending)
 Minutes from the meeting of September 28, 2009 (Pending)
 Minutes from the meeting of October 12, 2009 (Pending)
 Minutes from the meeting of October 26, 2009 (Pending)
5. AGENDA CHANGES AND DISCUSSION:

Vice-President Ezzy Ashcraft requested a motion to move Item 9-C and 9-D to the next meeting, due to lack of quorum or a full panel.

Board Member Kohlstrand asked that the applicant provide more information on item 9-C summarizing the existing development with a map or plan showing completed and pending projects, and a description of the remaining projects to be implemented over the next 15 years. She motioned to move items 9-C and 9-D to the next meeting and was seconded by Board Member Zuppan. Motion passed 4-0-3.

6. STAFF COMMUNICATIONS:

Staff presented future agenda items and the approval of a use permit application for a mobile food unit for gourmet food with extended hours of operation on Friday and Saturday at the a Zoning Administrator hearing on November 3, 2009.

Board Member Kohlstrand asked about the status of the Housing Element Update. Staff explained that the timeline has shifted, but would provide a more detailed update at the next meeting.

Staff presented an update on the Alameda Point effort. City staff continues to work with SunCal. SunCal is preparing for a February 2, 2010 ballot measure. If the initiative passes, then the Disposition Agreement, describing the transfer of the land, would be the next milestone. City staff has begun working with SunCal on the terms of that agreement as well as the Environmental Impact Report.

7. ORAL COMMUNICATIONS:

Mr. Irons, close neighbor to the Alameda Towne Centre, noted that he is pleased with the changes that have occurred at the center.

8. CONSENT CALENDAR:

None.

9. REGULAR AGENDA ITEMS:

9-A Draft Master Street Tree Plan

Ms. Hawkins, City Engineer, presented the updates to the Draft Master Street Tree Plan and responses to comments from the public and other boards.

Board member Cook asked if there had been changes to the Draft itself, or if the substantive changes are contained in the submitted attachments. Ms. Hawkins confirmed that changes were solely contained in the attachments.

Board Member Zuppan and President Ezzy Ashcraft asked for clarification on some typing errors in the document.

President Ezzy Ashcraft asked about the selection process of arborists, the notification process relating to trees, appeal fees, removal of protected trees, and made recommendations on the text.

President Ezzy Ashcraft opened the public comment period.

Mr. Ratto, Park Street Business Association, spoke in favor of the new draft document and thanked staff for incorporating their comments.

Mr. Buckley, Alameda resident, submitted a written copy of his comments and discussed them as they relate to the draft document and thanked staff for working with the residents.

Ms. Lamden, Alameda resident, thanked staff for working with the residents and requested that the some changes still be incorporated as they relate to the tree replacement rate.

President Ezzy Ashcraft closed the public comment period.

Board Member Kohlstrand thanked staff and the community for working on the project. She asked if staff felt comfortable with a recommendation that the rate of tree replacements outpace tree removals. Staff welcomed this recommendation, although it pointed out the constraints of the City's budget. Board Member Kohlstrand then asked for clarification of the relationship of signs and trees.

Board member Cook discussed and submitted her written comments for staff review.

Board Member Zuppan asked about the experimental tree planting process, review and timeline of tree plantings, as well as, the replacement rate of trees as outlined in the draft document.

The Board summarized the proposed recommendations to City Council, which are - that new planting meet or exceed tree removal; a city arborist position be funded once the economy improves; direct private developers to utilize the Street Tree Plan as a guideline even when new trees are not in the public right-of-way and that the tree matrix be updated every three years; utilize Mr. Buckley's clarifications on the draft to provide more clarity to the document; provided notification to neighbor for significant public right-of-way construction projects; conduct a study on appropriate pruning methodology and practice to avoid long-term damage to trees; and establish a public-private partnership for tree care to that will be managed by staff and implemented and supported by volunteers.

9-B PLN09-0054 Consideration of a Use Permit to Allow additional Truck Delivery Hours at the Trader Joes Store. The Trader Joes store is requesting use permit approval to allow truck deliveries between the hours of 6:00 AM and 11:00 PM.

PLN09-0073 Consideration of a Use Permit to Allow additional Truck Delivery Hours at the Big 5 Sporting Goods Store. The Big 5 Sporting Goods store is requesting use permit approval to allow truck deliveries between the hours of 6:00 AM and 11:00 PM.

PLN09-0259 Consideration of a Use Permit to Allow additional Truck Delivery Hours at the Petco Pet Supply Store. The Petco Pet Supply store is requesting use permit approval to allow truck deliveries between the hours of 6:00 AM and 11:00 PM.

PLN09-0349 Consideration of a Use Permit to Allow additional Truck Delivery Hours at the Safeway Store. The Safeway Store is requesting use permit approval to allow truck deliveries between the hours of 6:00 AM and 11:00 PM.

PLN09-0348 Consideration of a Use Permit to Allow additional Truck Delivery Hours at the Walgreens Store. The Walgreens store is requesting use permit approval to allow truck deliveries between the hours of 6:00 AM and 11:00 PM.

PLN09-0353 Consideration of a Use Permit to Allow additional Truck Delivery Hours at the Panera Bread Store. The Panera Bread store is requesting use permit approval to allow truck deliveries between the hours of 6:00 AM and 11:00 PM.

PLN09-0330 Consideration of a Use Permit to Allow additional hours of operation at Kohl's Department Store. The applicant, Kohl's, requests use permit approval to allow additional store hours of operation on certain mornings before 7:00 am and on certain weekend and holiday nights until 12:00 midnight.

Consideration of proposed changes to City Truck Routes. The applicant, the City of Alameda, is requesting that the Planning Board consider initiating a General

Plan and Alameda Municipal Code Amendment by asking staff to evaluate and develop recommendations for potential changes to the City Truck Routes to reduce evening truck activity and noise along truck routes.

Staff presented the various use permit applications

President Ezzy Ashcraft asked for clarification on why the proposed conditions for Trader Joe's and Big 5 were different than for the other use permits. Staff stated that all conditions would be identical for all use permits.

Board Member Zuppan motioned Board member Cook seconded to limit public speaking time to three minutes per speaker.

President Ezzy Ashcraft opened the public comment period.

Mr. James and Randy Holland, Trader Joe's Managers, spoke in favor of the request and explained their efforts to work with the community and staff to arrive at a favorable resolution to community concerns.

Mr. Farar, Store Manager for Big 5, spoke in favor of the changes to delivery times and explained the difficulty of scheduling truck deliveries in compliance with the approved delivery hours. He requested that the use permits be changed to allow one earlier delivery a week.

Ms. Motavo and Mr. Bittner, Kohl's Store Managers, spoke in favor of the project and stated that local consumers frequently request later opening hours to accommodate consumer needs.

Mr. Corbitt, General Manager Harsch Investments (Alameda Towne Centre), spoke of his company's efforts to mitigate impacts to local residents and in favor of granting the use permits. President Ezzy Ashcraft asked how many security guards were on site during the hours that most stores were closed. Mr. Corbitt, responded that there were two security guards.

Mr. Blackwell, Alameda resident, spoke against granting the use permits, as the extended hours of operation, exasperate the tranquil living environment of Alameda, because delivery trucks create too much noise by using their air brakes, radios, and let their trucks idle.

Mr. Libby, Alameda resident, spoke against granting the use permits and recommended enforcing the truck delivery hours by ticketing those trucks that do not abide by the City's rules.

Ms. Saxty, Alameda resident, spoke against granting the use permits as the existing business delivery trucks already do not comply with the City's regulations and the noise generated by trucks is too much to bear.

Ms. Larga, Alameda resident, spoke in favor of options I and II for the proposed truck routes.

Ms. Sellers, Alameda resident, spoke against granting the use permits, as the noise that would be generated is too excessive and the extended hours of operation would be not enforceable.

Mr. Helprin, Alameda resident, spoke to the proposed truck routes.

Ms. And Mr. Radding, Alameda Resident, spoke against granting the use permits.

Mr. Ratto, Park Street Business Association, spoke on behalf of the organization and supports the use permit requests so that all businesses can have the flexibility to stay competitive and financially viable. He stated that changing the truck routes would likely not be supported by his association.

Mr. Corbitt, responded to previous speakers comments and clarified facts.

President Ezzy Ashcraft closed the public comment period.

President Ezzy Ashcraft, Board Members Cook, and Zuppan, discussed the extended delivery hours and truck arrival times. Of paramount concern is the enforcement of the delivery times and the Board supported the recommended condition of approval that would require the review of the use permit by the Planning Board when there are two violations documented by either the security guard or the Alameda Police Department.

Board Member Zuppan motioned, Board member Cook seconded, and the Board voted unanimously to extend the hearing to 11:15 pm.

The Board discussed the possibility of developing standards or criteria for different types of businesses and the appropriate time and number of deliveries.

Board Member Kohlstrand motioned, Board member Cook seconded, and the Board voted unanimously to extend the hearing to 11:30 pm.

Board Member Kohlstrand motioned, Board Member Zuppan seconded, to grant the use Permit for Trader Joe's as conditioned in the draft conditions of approval. Motion passes 4-0-3.

Board Member Kohlstrand motioned, Board member Cook to continue the other use permit applications for amended delivery hours to its next hearing on November 23, 2009. Motion passes 4-0-3.

The board discussed the proposal to extend hours of operation for Kohl's. Board Members Zuppan and Cook supported the request for extended hours of operation for the requested days of the year.

Board Member Kohlstrand motioned, seconded by Board member Cook, to allow all of the requested hours of operation at Kohl's Department Store, except for the request that would allow Kohl's to be open until 11 pm for up to 85 days a year. Motion passes 4-0-3.

The Board decided not to take up the issue of modifying the truck routes due to limited

resources and other projects it would like to complete, but requested that staff add this to the long-range work plan so that it could be considered in the future.

9-C Planned Development Amendment – PLN09-0234 – 1109 Chestnut Street - The St. Joseph Community. A request to extend the St Joseph Community Master Plan Planned Development application, PD-98-01 for a period of 15-years. As conditioned, any part of the project not completed by November 30, 2009 requires approval of a new Planned Development application. The applicant is requesting an amendment to this condition to allow the remaining portions of the project to be completed by November 30, 2024.

Board Member Kohlstrand motioned, seconded by Board Member Zuppan to move this project to the November 23, 2009 Planning Board hearing. Motion passed 4-0-3.

9-D Municipal Code Amendment – City of Alameda A Municipal Code Amendment to amend the Alameda Municipal Codes Sections 30-36 and 30-37 related to Design Review and related amendments to the Guide to Residential Review and the Webster Street Design Manual.

Board Member Kohlstrand motioned, seconded by Board Member Zuppan to move this project to the November 23, 2009 Planning Board hearing. Motion passed 4-0-3.

10. WRITTEN COMMUNICATIONS:

None.

11. BOARD COMMUNICATIONS:

None.

12. ADJOURNMENT: 11:32 pm